Remarks

Applicant thanks the Examiner for his consideration of this application. Reconsideration of this application is now respectfully requested in view of the amendments above and the following remarks.

Claims 1-16 remain pending in the application, with Claim 1 being the sole independent claim. Claims 1, 4, and 15 have been amended, with the amendments to Claim 4 being supported by the original German-language priority application. The amendments to Claim 15 have been made to more positively recite the limitation of Claim 15. Claim 1 has been amended to correct a typographical error and a grammatical error.

At Pages 2-8, the Office Action rejects Claims 1-16 under 35 § U.S.C. 103(a) as being unpatentable over various combinations of references. In particular, Claims 1, 5, 7, and 14-16 are rejected as being unpatentable over Ruckh et al. (U.S. Patent No. 5,539,199) in view of Delmonaco (U.S. Patent No. 6,052,052). Claim 2 is rejected as being unpatentable over Ruckh et al. and Delmonaco, further in view of Kimura (U.S. Patent No. 4,701,625). Claims 3 and 6 are rejected as being unpatentable over Ruckh et al. and Delmonaco, further in view of Shnier (U.S. Patent No. 6,411,215). Claims 8 and 9 are rejected as being unpatentable over Ruckh et al. and Delmonaco, further in view of Holland (U.S. Patent No. 4,020,477). Claims 10, 12, and 13 are rejected as being unpatentable over Ruckh et al., Delmonaco, and Holland, further in view of Naboulsi (U.S. Patent Application Publication No. 2003/0096593). Finally, Claim 11 is rejected

as being unpatentable over Ruckh et al., Delmonaco, Holland, and Naboulsi, further in view of Wadhwani et al. (U.S. Patent o. 4,302,750). Applicant respectfully traverses these rejections for at least the following reasons.

Claim 1 recites, among other limitations:

> an evaluation unit coupled to the transmitter and the receiver unit and *storing parameters of several safety zones* that form respectively predetermined areas of the monitoring range, wherein an object detection signal is generated in the evaluation unit in dependence on the receiving signals at the receiver output, which object detection signal indicates whether or not an object is located within *an activated one of the safety zones*; and
> a communication interface coupled to the evaluation unit and operative for bi-directional data transmission with an external unit, wherein *at least one of the stored safety zones is activated by reading into the evaluation unit activation signals from the external unit via the communication interface.*

(Emphasis added.) It is respectfully submitted that these limitations, and particularly those in italics, are neither disclosed nor suggested by the cited prior art.

In particular, the Office Action relies on Ruckh et al., citing the abstract and col. 2, lines 25-41, to teach the claimed evaluation unit. However, it is noted that, as discussed in these portions of Ruckh et al., as well as in other portions of this reference (e.g., the last paragraph of col. 4), a single, planar rectangular-shaped safety zone is always monitored. That is, ***there is only one safety zone considered in Ruckh et al., and there is no capability of storing parameters of several safety zones or of activating one of the (several) safety zones.***

Furthermore, this shortcoming of Ruckh et al. is not addressed by Delmonaco. The Office Action relies on Delmonaco, citing the abstract, col. 2, lines 1-28, and col. 4, lines 35-42, to teach a communication interface coupled to an evaluation unit, as in Claim 1. Again,

Delmonaco lacks the claimed multiple safety zones that may be activated in response to activation signals received by the evaluation unit via the communication interface. In particular, a review of the cited portions of Delmonaco, as well as the rest of this reference, reveals that Delmonaco describes different zones being monitored by different sensors, all connected to a single controller. There is no disclosure or suggestion that any of the sensors has a controllable safety zone, in contrast with the claimed sensor, whose safety zone may be selected. That is, the controller is used to switch among sensors, ***but it does not communicate signals to the various sensors to select safety zones.*** Hence, Delmonaco fails to remedy the deficiencies of Ruckh et al.

For at least the above reasons, it is respectfully submitted that Claim 1 is allowable over the cited prior art. Therefore, Claims 2-16, which depend, directly or indirectly, from Claim 1, are also allowable over the cited prior art.

While Applicant does not necessarily concur with the Office Action's characterizations of the claims and/or the references with regard to every claimed feature, Applicant chooses not to discuss each feature at this time. Consequently, the lack of explicit discussion is not to be understood as indicating tacit agreement with such characterizations.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant, therefore, respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

Date: December 2, 2005

Jeffrey W. Gluck, Ph.D.
Registration No. 44,457
VENABLE LLP
P.O. Box 34385
Washington, D.C. 20043-9998
Telephone: (202) 344-4000
Direct Dial: (202) 344-8017
Telefax: (202) 344-8300

::ODMA\PCDOCS\DC2DOCS1\703669\1
VBHC Rev. 12/02/05 jwg